

# Yadkin & Catawba Journal.

PRINTED AND PUBLISHED, BY LEMUEL BINGHAM, AT SALISBURY, ROWAN COUNTY, N. C.

VOL. I. NO. 38.—[New Series.]

TUESDAY, FEBRUARY 3, 1829.

WHOLE NO. 218. VOL. V.

**TERMS.**—The Journal will be afforded to subscribers at \$3 a year, or \$2 50 in advance.

No paper will be discontinued, unless at the discretion of the editor, until all arrearages are paid.

Advertisements will be inserted at the usual rates. Persons sending in advertisements, are requested to note on the margin the number of insertions, or they will be continued until forbid and charged accordingly.

## STATE OF NORTH-CAROLINA, ROWAN COUNTY.

*In the Court of Equity, October Term, 1828.*  
Philip Swortlander vs. William Stockstill.—Petition to perpetuate Testimony.

IT appearing to the satisfaction of the Court, that the defendant is not a resident of the State:—ORDERED, therefore, that publication be made three months in the Yadkin and Catawba Journal, to notify defendant that complainant will proceed, on the 3d Monday in February, 1829, to take the deposition of Edmond Etchison, *de bene esse*, before the Clerk and Master, at his office in Salisbury. It is further ordered, that unless defendant appear at the next term of this Court in Salisbury, on the 2d Monday after the 4th Monday in March next, and plead, answer or demur, the bill will be taken pro confesso against him and decree final entered accordingly.

SAML. SILLIMAN, C. M. E.

3m 41.

## State of North-Carolina,

MECKLENBURG COUNTY.

*November Session, 1828.*

James Neely, Executor of Wm. Barnett, dec. vs. The Heirs at law of Wm. Barnett, dec.—Caveat to a will.

IT appearing to the satisfaction of the court, that the heirs of Wm. Barnett, Abraham Barnett, Samuel Barnett, Mary Elliott, Thomas Barnett, Ruth Porter, Elizabeth Spratt, James Barnett, Susanna Barnett, William McRee, Rachel Vance, Harriet Taylor, & Margaret Spratt, reside without the limits of the State: It is therefore ordered by the court, that publication be made six weeks in the Yadkin and Catawba Journal, that they appear at our next Court of Pleas and Quarter Sessions, held for Mecklenburg county, on the 4th Monday in February next, and then and there show cause why a paper purporting to be the last will and testament of William Barnett, deceased, should not be admitted to probate.

ISAAC ALEXANDER, C. M. C.

By THOS. B. SMARTT, D. C.

6t219—pr. adv. \$3.

## State of North-Carolina,

IREDELL COUNTY.

SUPERIOR COURT OF LAW,

*Fall Term, 1828.*

William Kerr vs. The heirs at Law of Andrew Neill, deceased. Scire facias to show cause why the lands devised by the dec'd, should not be taken in Execution and sold to satisfy the plaintiff's judgment.

IT appearing to the satisfaction of the court, that James Donaldson and his wife Esther, William Kerr, James Kerr, Isabella Kerr, Margaret Kerr, Letitia Falls, William Allison and Rosanna his wife, and Robert Allison, parties and defendants in this suit, are not inhabitants of this State: it is therefore Ordered, that publication be made in the Yadkin and Catawba Journal, printed in Salisbury, for six weeks, that the defendants appear at the next Superior Court of Law, to be held for the county of Iredell, at the Court-House in Statesville, on the 4th Monday after the 4th Monday in March next, to show cause why the lands descending to them as heirs at law of Andrew Neill, should not be subject to the judgment of the plaintiff. Test, JAMES CAMPBELL, Clk.

## STRAY.

STRAYED from the subscriber, on the 27th or 28th of Dec. at the House of Jacob Leonard, Cabarrus county, a BAY MARE, with her colt, also bay, and with what is commonly called away back. Any person finding and bringing said creatures to Messrs. Hayes, Mills, or to Solomon Aronheart, on Mallard Creek, shall be compensated and the favor thankfully acknowledged, by ROBERT SIMMONS.

Jan. 1, 1829.—St16.

## Wilkesboro' Academy.

THE subscriber finding it necessary to be absent for a few months, has employed the Rev. Mr. Anderson, a graduate of one of the colleges of Pennsylvania, to take charge of the Academy, during his absence. Mr. Anderson is well qualified for the performance of the duties of an instructor; and it is confidently hoped that the cheapness of board and tuition, combined with the well known local advantages of the situation, will secure to this Institution a full share of public patronage.

A. W. GAY, Principal.

Wilkesboro', Dec. 27, 1828.—St16.

## For Sale.

THE subscriber offers for sale his House and Lot on Main Street, in the town of Salisbury, at present occupied by Alexander Boyd. The payments will be made accommodating. Any person wishing to purchase, can apply to the subscriber, living in Salisbury.

S. L. FERRAND.

June, 24, 1828.—87tf.

## Notice,

THAT we, Peter Newton and Edward McGrath, have entered into co-partnership in the Mechanical Business of Plastering, Brick-laying, Painting, &c.

December 15, 1828.—12tf.

## Fayetteville Paper Mill.

HIGHEST prices paid in CASH for RAGS, of all descriptions at the Paper Mill in Fayetteville, N. C.—99f.

## Geological.

Report of Professor MITCHELL, made to the Board of Agriculture of this State, at their Annual Meeting, January, 1829.

I shall not perhaps find a more appropriate introduction to this my last regular report to the Honorable Board of Agriculture, than what is furnished by the following remark of a distinguished French Philosopher (D'Aubisson) in relation to the progress and result of the investigations of the geology of England and Germany.

"What the most eminent mineralogists have done in a small part of Germany in the course of half a century, a single individual (Mr. William Smith) has undertaken and accomplished for the whole of England, and his labours, alike beautiful in their result and astonishing from their magnitude, have led to the conclusion that England is regularly divided into beds or strata—that the order of superposition is never inverted, and that the same fossils are found in the same bed at great distances."

The object of this quotation, is to shew, what in the judgment of men the best qualified to form an opinion upon the subject, is the amount of time and labour necessary to bring an undertaking like that to which this Report relates to a successful conclusion, and that after the general survey of the geology and mineralogy of the State furnished by the preceding Reports, no very extensive results are to be expected from the investigations of a single year. Much remains to be done. England is a small fraction only larger than North Carolina. If the entire life of an individual could be spent upon the geology of that country, and half a century upon that of Germany, without exhausting the subject, it may well be expected that there will remain many things unascertained in relation to the geology of this state. It is not my purpose to ask, nor do I wish any farther assistance in the prosecution of the business. The Board of Agriculture and the Legislature have been sufficiently liberal in their appropriations to this object. It will not however be neglected. Whatever portion of my time is not occupied by my duties at the University, will be zealously devoted to the geology and mineralogy of the State, and if the Board shall continue its annual publications, I hope to be able to furnish them every year with a paper, which though not very long nor very important, perhaps in its details may be thought worthy of being preserved.

A second visit to the Low Country has afforded additional evidence of the correctness of the views taken in a former Report, and more fully developed in the pages of the accompanying pamphlet, of the geological character of this portion of our state and the mode of its formation. New localities of Marle were noticed in a number of different places, especially in the banks of the Tar River, but of these it seems unnecessary to give a particular account. It would appear that the marle beds abound in every part of this district, either at the surface or a small depth below, so that no person need doubt that a careful search for them would be rewarded with their discovery, if not in his immediate vicinity, at least at no great distance. It remains for our agriculturists to ascertain by a few well conducted experiments whether this substance will repay the labour of transferring it from the beds to their plantations. The Low Country is hardly entitled, in an economical view, to farther examination. Fine clay, marle, shell-limestone and iron pyrites, are abundantly, as well as extensively dispersed through it; but besides these it does not appear to contain any valuable and scarcely any interesting minerals. To the scientific enquirer into the early history of our globe and the revolutions it has undergone, it will long present an alluring field of research and discovery.

Of the North-Western Counties.

On the gold mines, the details that have been communicated in former publications of the Board are sufficiently ample, except so far as matters of mere science are concerned. With reference to these, and with a view of correcting some of Mr. Rothe's blunders, I drew up a paper for one of the scientific journals, which I suppose to be in the press

at this time and some copies of which will be laid before the Board at their next meeting.

I shall proceed, therefore, directly to an account of the counties of Ashe, Wilkes and Surry, which were examined with more or less accuracy, during the last summer. With the exception of an exceedingly narrow, broken, barren, unsettled and uninteresting strip along the western border of Ashe adjacent to Tennessee, the rocks of these counties, are all primitive, granite, gneiss, mica-slate, gneissoid, hornblende rock, hornblende slate and some chlorite and talcose rocks. The principal valuable mineral substance that has hitherto been discovered or of which there are any considerable indications, is iron ore. I did hope to be able to draw lines along the map, indicating the distribution of the different rocks through the country, with their boundaries, but found them at length so involved with each other and alternating in so many different ways, that I was obliged to give it up as a hopeless undertaking. It is not a matter of much importance. The alternations referred to, are well exhibited on the road from Wilkesboro' to Ashe Court-House, especially in the descent to Reddie's River.

## ASHE COUNTY.

I had expected to find this county resembling in geographical character the district lying north of it in Virginia, and hoped, therefore, that there might be a chance of meeting with those minerals, especially lead and gypsum, which occur lower down New River, either upon its banks or at no very great distance from it, but I soon ascertained it to be altogether different. As has been already mentioned, the whole county is primitive, with the exception of a narrow strip adjacent to Tennessee, and this is a collection of rocks through which the primitive gradually assumes the character of the formations west of it rather than one of those formations. An imperfect recent granite is found upon the Stone Mountain, at both of the points where the great roads cross within the limits of Tennessee. The lead and gypsum of Virginia would of course be looked for in vain. The iron ores of Ashe are near the northern boundary of the county, on the waters of Little River, and those of the North Fork of New River, and whether we regard the ease with which they are wrought, or the excellence of the iron manufactured from them are probably not surpassed by those of any other county.

The value of the iron ores of North-Carolina, depends upon the nature of the rock in which they occur, not less than upon the ore itself. Almost all those that are wrought, belong to the kind called shot ore—that is, they consist of small crystals of iron ore, (generally magnetic) disseminated through a rock not differing, except in the circumstance of its containing this imbedded substance, from the common rocks of the country. The rock therefore goes either partly (the rest having been removed by pounding and washing) or wholly into the forge or furnace, along with the proper ore, and when there serves to stamp a peculiar character upon the metal produced. It enters into intimate union either with the lime introduced as a flux (as in the furnace) or with a portion of the undecomposed oxide of iron, which appears in this case to perform the office of a flux, (as in the forge) is converted into ciuder and flows off.

But the magnesian minerals (Soapstone, Chlorite, etc.) being exceedingly difficult of fusion, even with the aid of fluxes, require a large expenditure of coal for the reduction of the ore, nor is the metal obtained apt, after all, to be of a good quality.\* This circumstance will always deprive the iron ore found at the place called the Bull Ruffin in Ashe, and indeed all that I met with in the southern part of the county, (some small

\*On the ridge opposite the Bull Ruffin, an ancient excavation, having masses of Mica as large as the hand in the earth that has been thrown out. There is a similar excavation two miles north of Rutherfordton, and a third a little way S. West of Franklin in Haywood County. The appearances at each of the three places are the same. That near Franklin, is in a country difficult of access, and till within a few years occupied by the Indians. It is probable therefore that both it and the others, are the work of the aborigines, who either employed the glittering plates of this substance to ornament their persons, or expected to extract metal from it. Such places never fail to become objects of interest to the people of the neighborhood, who flatter themselves that a diligent and careful search, would bring to light something valuable.

specimens of loadstone found on George Wilson's land on the fork ridge excepted) of the value they might otherwise possess. But the characters of the ores on the North Fork of New River, are all favorable to the easy production of good iron. The ore itself appears to be a pure oxide—the rock in which it lies imbedded is gneiss, without any injurious ingredient—there is plenty of wood and water power. There are at present but two forges in operation in this part of the county; Col. Ballow's and that belonging to Major Findlay and Col. Waugh. But it will be the fault of the persons to whom the ore beds belong, and of the workmen, if this district does not become the seat of a manufacture of iron, not surpassed for being converted into steel, or indeed for any other purpose, by any in the world. Why should not the people of the midland counties be supplied with this important article, directly by their fellow-citizens at the west? It is sometimes carried to Fayetteville and sold, and then re-transported to the interior.

Besides the magnetic oxide that is wrought, Ashe furnishes some other species of iron ore, especially the specular oxide, which is pretty common in midland counties, and no where more abundant, as I believe, than in Chatham, where, though not in quantity sufficient to be manufactured into iron, very fine specimens may be had on the plantation of William Hardin, Esq. near Pittsborough. In Ashe, differing so much from the more common kind of iron ore in lustre and other characters, it was supposed to contain lead, antimony, or some other uncommon and valuable metal. It is good ore of iron, but here as well as elsewhere, in the state where it occurs, the quantity is small. Brown Hematite is found on the land of Elisha Blevins, near the Virginia line, and the compact brown oxide of iron on that of Mr. Weaver, not far from the bank of New River. Of this last, which I find to contain a large portion of the black oxide of Manganese, mixed with the oxide of iron, a quantity had been raised with a view of extracting silver from it.

On the land of Col. James Maxwell, is a copper mine, unluckily not rich enough to repay the expense of working it. It is on the side of a hill of mica slate and gneiss, facing the east and rising from the bed of one of the small tributaries of New River.—The rocky strata run S. 40° west, and dip rapidly towards the south-east. Between the other veins or beds of rock, are those which contain the ore of copper, the green carbonate. Two drifts have been run 30 or 40 feet into the hill, for the purpose of exploring these veins. It is a good ore of copper, easily reduced, but found here as well as in other parts of the world, in small quantity only.

Ashe appears to be rich in mineral species—that is, in those crystalline forms and rare combinations of the chemical elements which mere mineralogists are so eager to collect into their cabinets, but its wealth in this particular will not be ascertained till some person resident in the county, shall embark in the business of exploring it; and continue in it for some years. The neighborhood of Joshua Cox, near the mouth of Cranberry Creek, would probably afford him a richer harvest than any other. On Cox's own land, are splendid specimens of Staurolite on the bank of the river. On Canada Richardson's land, the garnet is large, perfect and beautiful. On James Mulkey's, limpid quartz is obtained in large pieces, and Capt. Smith gave me a large and very perfect crystal of Red Oxide of Titanium, picked up, as he told me on James Dickson's land. Besides these, there are other interesting minerals.

Ashe presents more peculiarities than any other county in the state. It differs widely from the country below the mountains, exhibiting a number of objects that are calculated to interest an inhabitant of the lower and midland counties—who, if he has the capacity of receiving pleasure from an union of the grand and beautiful features of natural scenery, will not regret a few days spent (especially in that season of the year when the chestnut, linn and laurel are in bloom) amongst the mountains and valleys of Ashe, with a plain but kind and obliging people.\*

\*The people of North Carolina, are by no means aware of the number of wild and beautiful views that are within their reach along the great range of the Alleghenies, without ever

It is not merely in having a more uneven surface that this county differs from those below the ridge, but it is so much elevated above the rest of the state, (Buncombe and Haywood excepted, and it appears to be higher than either of those counties) as to have a different climate and vegetation, and different modes of culture. It is a body of high table land, having its upper surface studded with mountains. The seasons are four or five weeks later than in the central parts of the state—the winters intensely cold, and the summers barely warm enough to bring Indian corn to perfection. The grasses flourish wonderfully here. In many places it is only necessary to clear away the timber and scatter a little Timothy seed over the soil, and it is presently and permanently converted into a luxuriant meadow. With the aid of the gypsum of Virginia, fine fields of clover are easily created—the perfection which the Irish potatoe attains amongst the mountains is well known.

The county appears to have been intended by nature for a grazing country, for the pasturage of cattle and sheep, and though a good many cattle are driven from it every year, much of its surface is still in a state of nature, and with extensive forests overshadowing the soil and preventing the vigorous growth of those plants upon which they are fond of feeding, it is evident that the quantity of stock it can support under the present circumstances, is incomparably less than what it will maintain when the forests shall have been levelled and the hills and mountains have been converted into artificial pastures. Some judicious farmers are beginning to turn their attention more particularly to this object—a course which would be in expedient if they were on the other side of the ridge, but is wise and proper here. The effect of such measures must be to make room for a denser population, and prepare the way for the introduction of schools and other improvements, so that there can be no doubt that Ashe, become an old county, will be much more wealthy and respectable, and hold a higher rank amongst her sister counties than when the settlements were but recently made. No other county seems to possess in so high a degree, the means of ameliorating its condition through a succession of years. To this end, it would contribute greatly that the hunter habits should be more effectually laid aside. As the settlements advanced westward from the coast, the hunters kept retiring till they reached the Alleghenies, where they made a stand and permitted the tide of emigration to flow past them in Tennessee, and now that the game is almost gone, they do not willingly turn themselves to the cultivation of the soil of a broken but fertile county. Patient, persevering industry, is too much confined to the females, whose habits in this respect are worthy of much praise.

Of the luxuries received from Ashe, none is more generally acceptable than the Cranberry—as pleasant a tart unquestionably as the world affords. It grows almost exclusively on the east side of New River in the glades and swamps lying between that stream and the Blue Ridge. The plant which produces it, is a small low vine that completely covers the soil with the branches and runners which it throws out in all directions. When loaded with fruit in a favorable year, it presents a beautiful object to the eye, beside reminding us of the gladness with which it will animate the lover of good eating in a distant part of the country, when it shall have been suitably prepared for the table.

The circumstance of its flourishing almost exclusively on the north-western declivity of the Blue Ridge, is to be attributed partly to the characters of the soil and partly to the elevation and consequent moisture of the ground, for there can be no doubt that though it is a country of mountains, and there are

crossing the state line. Some of those that present themselves on the road from Rutherfordton to Asheville, by the way of the Hickory-nut Gap, are magnificent, the road itself is execrable, after all the labour that has been bestowed upon it. From Asheville to Franklin, in Haywood County, the road winds for 70 miles, through romantic valleys, and amongst lofty mountains, and at the end of his journey, the traveller will be as handsomely entertained at Mr. Siler's on the banks of the Tennessee, as he could be in Raleigh. If he has a curiosity to examine the modes of savage life, an easy day's ride will bring him to the Indian settlement on the Hiwassee.



high knobs far away to the westward, there is a gradual descent from the crest of the ridge to the warm valleys of Tennessee. Vegetation is earlier in the Watauga settlement, and corn ripens better there than in any other part of the county.

The geography of these western parts of the state as exhibited on the maps, is exceedingly defective. And yet in the course of a century at farthest, and it is to be hoped in less than half that time, they will be delineated with a degree of precision and accuracy which we shall find it difficult to attain in regard to the more level counties below the ridge. Many of the highest mountains, from the Virginia line quite down to the western extremity of Haywood, are bald, and would furnish admirable stations for the prosecution of a trigonometrical survey. If a base line were once run and transferred to the mountains, it would be easy to cover the whole country both beyond and immediately below the ridge, with a network of triangles, and fix every point with the most minute exactness. The Grandfather Mountain is distinctly seen from the White Top, which is within the Virginia line, and the Pilot from both of these. The Yellow Mountain and the Black Mountain of Buncombe, (this last probably overtopping the Grandfather himself, and the highest land between the White Hills of New-Hampshire and the Gulf of Mexico) would furnish the next stations, and after these, there would be no difficulty in finding conspicuous summits quite down into the Indian territory.

The counties of Wilkes and Surry being unquestionably primitive throughout their whole extent, possess very little interest for the Geologist, nor do they appear to contain a great number of rare or valuable mineral species. A succession of beds of iron ore extends along the base of the Brushy Mountains in Wilkes, and a forge has been erected during the past summer for manufacturing iron from it. It is moderately rich, and will probably afford iron of a good quality, but inferior to that derived from the mines on the north fork of New River in Ashe. Other beds occur on the head waters of the Yadkin, but they labour under the same difficulty with those about the Bull Run—the ore is imbedded in a magnesian rock.

No county is more favorably situated for the iron manufacture, if a sufficient amount of ore could be had, than Surry. It has extensive tracts of waste land that can never be turned to any other object than the growing of wood for coal, a noble body of limestone in the centre of the county for fluxing the ore, but the ore itself is unprofitably wanting. A series of beds indeed extends through a great part of the county, beginning at its north eastern corner and passing near the foot of the Pilot Mountain in a south-westerly direction. Four forges are supplied with ore from them. But the veins, though numerous, are generally feeble, not more than from a foot to three or four feet in thickness. Hutchins's, a few miles south of Rockford, which has been recently opened, and is the most powerful hitherto wrought, is seven feet in thickness. The ore is in general of a good quality, but sometimes contaminated with soapstone, which, as has been already stated, renders it refractory, and it is not abundant enough at any point to justify the erection of a furnace, and taking advantage of the quarry of limestone that is just at hand.

On the land of David Walker, in the south-western part of the county, plumbago occurs of a good quality in nodules, in a ploughed field. It appears to be extensively distributed through the western counties—being found in Lincoln, Burke, Iredell, Wilkes, Surry, Stokes, and probably all the others where there are ancient primitive rocks. Its economical uses are detailed in a former Report.

**Feather Beds.**—The want of feathers is altogether artificial, arising from a disregard to the physical and moral well being of infants and children; and he who has the good fortune never to have been accustomed to a feather bed, will never in health need or desire one, nor in sickness, except in cases of great morbid irritation or excessive sensibility, or some disease in which the pressure of a firm or elastic substance might occasion pain. But when a rational regard to the preservation of health shall pervade the community, feather beds will no more be used without necessity or medical advice, than ardent spirits will be swallowed without the same necessity or advice. The physician has frequent occasion to see persons who are excited, sweated and excited by sleeping on feathers, as if from a fit of sickness, enervated, dispirited, relaxed and miserable.—*Med. Intel.*

The premium of a gold medal, for the best essay against Duelling, was awarded by the Anti-Duelling Association of Savannah, at their anniversary meeting on the 15th inst. to Mr. William Jay, of Westchester County, New-York.

#### LATEST FROM EUROPE.

**New York, Jan. 16.**—By the packet ship Columbia, Delano, from London, we have papers of that City to the 2d of December, inclusive, and by the packet ship Charlemagne from Havre, we have Paris dates to the 2d of December. The St. George arrived this morning from Liverpool, has enabled us to supply some important intermediate news, of an interesting character, from Russian official papers, and to add considerably to our marine intelligence.

**Opening of the Ports to Foreign Corn.**—The event long expected, of the opening of the ports for the admission of foreign grain, has at length occurred; and the averages attained to such a height, that it was announced that wheat was admissible for home consumption upon the payment of the minimum duty of one shilling per quarter, barley at three shillings and fourpence, and oats at seven shillings and ninepence.

**Catholic Emancipation.**—Mr. O'Connell, at a meeting of the Catholic Association in Dublin, on Tuesday, said, that up to the 26th of October, three successive applications had been made by the British Ministry, through the Hanoverian Minister at Rome, for a *Concordatum*, and that the Pope had declined entering into any treaty on the subject until the Catholics of Ireland were emancipated.—Mr. O'Connell said he was authorized to make this statement.

The King had a Court at Windsor, Nov. 24, at which Mr. Barbour, the Minister from the United States, was presented to the King by the Earl of Aberdeen, and delivered his credentials as Minister from the United States. His excellency was most graciously received.

**The Russians and Turks.**—Advices from the frontiers of Poland are to the 12th of November. They speak of an extraordinary levy throughout the kingdom for the augmentation of the fifth Polish army.

There was some foundation for the late report via Smyrna, of a defeat of the Turks in the field, after the fall of Varna, but the report was exaggerated greatly. The action took place between Prince Eugene, of Wirtemberg, who went in pursuit of the Turks, and Omer Vrione, on the banks of the Kamptchik. The Russians have withdrawn from before Choumla. Their force consisted of the 2d, 6th, and 7th corps. The two latter have been ordered to proceed to Varna and its environs, to defend the approaches to that garrison; and the latter is to take up a position on the road to Silistria, to cover the siege of that fortress, which is to be carried on with vigour. This will be the only operation undertaken during the winter.

There was a report, but it was not credited, that a courier had passed through Frankfort, with the news that Silistria was taken on the 26th, by the Russians, commanded by General Scherbatoff, after three assaults. The loss of the Russians was very considerable, but the whole Turkish garrison perished.

The Russians will continue to occupy a line beyond the Danube, from Varna to Silistria, and in that position waiting for the ensuing campaign. Bazardjik is fortifying for that purpose.

It is stated that operations against Turkey will be carried on with as much energy as if the Emperor were in the field. We are assured that the Russians have no intention of retiring behind the Danube. One account says that they have advanced beyond Varna, whence the Turkish forces have been withdrawn, to be united with those of one of the Pachas of Burgas.

It was reported at Vienna that disorders had manifested themselves among the troops of Count Witgenstein's army; they are attributed to the heavy rains which had fallen in the countries on the Danube, and the bad quality of the provisions.

From Constantinople, Oct. 29, it is stated that since the fall of Varna, the military armaments are carried on with more activity than ever. Ammunition and artillery are continually sent to the army. Troops from Asia arrive daily, especially cavalry, which continue their march after halting for a short time. Among them the celebrated Tchassan Oglou, one of the most powerful Beys of Anstolia, with several thousand horsemen, passed through this city a few days ago.

**Affairs of Greece, &c.**—The last Castle of the Morea surrendered on the 30th of October, when the whole of the Morea was evacuated by the Turks; but nothing is said of the return of the French troops; on the contrary, it was reported that that army was to be increased to 25,000.

Navarino was occupied on the 29th October by the 8th Regiment of the Line. The General-in-chief had chosen Modon for his residence, but had gone for a short period to Patras. Gen. Sebastiani had the command during his absence. The 55th form the garrison of Modon, and the 27th occupies Coron, but that town was to be given up on the 29th to the Greeks, who had sent two French officers, under Gen. Nicetas, to take possession of it.

**LONDON, DEC. 1.—EVENING.**  
**Agricultural Report for November.**  
The month of November has gone off with fewer wintry accompaniments than

generally attend it. The weather has been pleasant for the pursuit of all the ordinary occupations and amusements of life—for the walker, the rider, the sportsman. It has also been very favorable for the prosecution of the labors of husbandry. The wheat which, on the uplands especially, came up spindly, weak, and thin, has felt the influence of this genial moisture, and to a certain degree improved thereby. Yet we cannot make a favorable report of the general appearance of the young plant. It is too frequently thin on the ground, as well as slender in the blade, and delicate and sickly in its habit and appearance. Considerable injury from the prowling of the slug and other vermin is complained of in some districts, and the thinness of the plant attributed in a great measure, to this cause. Many grains which, in the late wet harvest, inevitably sprouted, never vegetated at all, and the condition of the remainder was in many instances so injured, that both root and shoot were weak and languid, and liable to have the principle of life extinguished at its first appearance by the least untoward circumstance; or, when the infant plant struggled above the surface, it became such as we see it, thread-like and puny, deficient in energy and luxuriance of growth. Such, we are sorry to say, is too generally the aspect of the growing wheat; but, although, where the plant is extensively destroyed, no change can produce a full crop, yet the mysteries of vegetation continually baffle the foresight of man.

The average price of wheat has at length reached that point at which it may be imported, or taken out of bond, at a duty of 1s. per quarter. The quantity of foreign wheat thrown upon the market in consequence is variously stated at from 3 to 500,000 quarters; a reaction has consequently occurred, yet not in any violent degree; it has principally affected old wheat, as might have been expected. The importations into the port of London alone have exceeded 100,000 quarters in the last month; and it is probable that every exertion will be made to import as much as possible before the Baltic is closed for the winter. Now, therefore, is the time to watch the operation of our new corn law in regulating prices, and to acquire some idea of the supply with which the continent may be able to furnish us. In the mean time, if the introduction of 4 or 500,000 quarters does not materially depress our market, there will be little reason to expect that prices will be low during the year. Farther, if the whole of the foreign supply, added to our own growth, shall amount to about our average consumption, neither growers nor consumers will have much reason to complain of the operation of our present corn law, for a quantity nearly equal to our usual wants must be procured, if possible, under any system; and more than our regular consumption the consumer has no title to require.

#### REVOLUTION IN THE CITY OF MEXICO.

The fast sailing schooner Shamrock, Captain Alexander, arrived at Baltimore on Wednesday, the 21st ult. in 22 days from Tampico, bringing intelligence that a revolt had taken place in the City of Mexico, which was succeeded by a battle between the adherents of Guerrero, and the Government troops under Padraza, the newly elected President of the Republic. The revolt, it appears, had its origin in the dissatisfaction felt by the friends of Guerrero at the election of his opponent, Padraza, to the Presidency. After a contest of two days, the loss on each side was nearly equal. Perhaps 200 killed each day.—Guerrero arrived on the third day with fresh troops, and gave an impulse to the action, which soon decided the contest. On the 4th and 5th, Guerrero and Zavala, took summary measures to stop the pillage, by shooting and cutting down the thieves, and they have since collected much of the property, except what the officers kept for themselves, which would be the chief part. They are acting most wisely and trying to make up the Administration nearly as it was before. It consists of the same President and Ministers, except Padraza; but they cannot get the Congress or Senate to meet, and the whole affair is still in a state of uncertainty.

**News from Greece.**—A letter from our countryman, Dr. Howe, dated Malta, Nov. 4, says, just before the vessel weighs anchor for Greece, that he learns by persons immediately from that Country, that two-thirds of the foreigners engaged in the cause, have lost their lives by disease or strife. Our General Jarvis, it is said, is of the number. Capo D'Istria is getting on wonderfully with the internal administration, the people are returning to their former occupations. Piracy has ceased, and the country is quite tranquil. Cochrane is returned, and is now at Egina with another steam vessel; but, it is said, demands \$5,000 ere he will hoist the Greek flag upon her.

**Rail Roads and Canals.**—The Legislature of Lower Canada has again determined by a large majority, to have a Canal at the public expense, from Chambly to St. John, to facilitate the trade with the United States; or, as one Member

said, to draw the American trade of Lake Champlain to Canada. The Legislature has appropriated \$200,000 to begin with, and there are \$400,000 in treasury. Mr. Viger, a Member, opposed the Canal, and said, "If the communication with Lake Champlain was so desirable, another better and less expensive mode offered itself than by a Canal. He alluded to a Rail Road. Canals had had their day; and it was now universally acknowledged, both in Europe and the United States, that Rail-Roads were preferable to Canals. The celebrated Canal of the Duke of Bridgewater, in England, is superseded by a Rail Road."

From the Norfolk Herald.

**Desperate Encounter!**—We recently copied from a Western paper, an account of a fierce and deadly combat, between a Mr. Gibson and a Mr. Durden, of Mississippi, with sword canes, in which the former gentleman dropped down dead, being pierced with five stabs, viz. "three in the abdomen, one in the breast, and one under the chin, passing through his mouth into his head."—We have something to match, indeed surpass, the combat between the heroes of Mississippi, in a most butcherly conflict between two runaway negroes, which took place on Saturday night last, in Hertford county, N. C. (nearly in our own vicinity), the particulars of which have been communicated to us by a gentleman of undoubted veracity, residing in the town of Winton, in that county.

Tom, who was a very likely fellow, a bright mulatto, said to belong to a Mr. Womble, of Southampton county, (Va.) and Nat, who formerly belonged to a Mr. Jenkins, of Hertford, but who was sold by him to a Georgia-man, had been 4 or 5 years ranging the forests of Hertford as runaways. They had lived together like brothers during all that time, and had rendered themselves so terrible by their daring villainies, that numerous attempts were made to arrest them, which they had successfully eluded; and it seemed as if they had obtained a warrant from Old Nick to commit every sort of depredation with impunity.

On the night above mentioned, they were at a fodder stack near the house of a Mrs. —, six miles from Winton, which has been strongly suspected of being a harbor for negroes; a dispute about some trifling circumstance had brought them to high words, and Tom at last became so irritated, that he laid down his gun, and taking a fence rail from the stack pen, struck Nat a blow with it, which felled him to the ground, and, on his repeating the blow, Nat drew a long bladed knife and plunged it into Tom's breast; upon which Tom seized his gun and fired the whole contents (buck shot) into Nat's bowels, and then reversing the weapon, proceeded to beat him over the head with the breech, Nat at the same time stabbing him in the side and breast with his knife, until finally, Tom having shivered his gun to pieces in laying on upon Nat, left him and walked about 60 paces, when he dropped dead. Nat's cries soon brought some of the people, from Mrs. —'s, to his assistance, who removed him to the house, where he survived only a few hours, during which he gave the preceding account of his sanguinary conflict.

Thus have two as desperate villains as ever defied the gallows, atoned for their crimes, and relieved the harassed neighborhood which had so long been the theatre of their depredations and atrocities, of all further alarm on their account—by becoming their own executioners.

**Frauds in Cotton.**—Letters are published in the Mobile Register, (says the Savannah Georgian) from two merchants of that place, detailing numerous frauds discovered by their correspondents in Liverpool, such as putting good cotton on the outside of bales of very ordinary, wetting it to increase the weight, &c. One of the gentlemen mentions eleven instances of this kind of fraud in his business of the last season. He says:

"The frauds were in some instances stone and clay, in others, seeds, and the sweepings of the gin-house, and damaged cotton packed in the centre of the bales; but the most serious of the frauds was the planting the bales, by packing choice and handsome cotton on both edges where it is sampled, while the principal part of the bale was of the most inferior quality. In round bales, water was thrown in the centre, when packing, by which the weight is increased nearly 100lbs. per bale, and one third or more of the Cotton thereby destroyed. An instance of the latter fraud may now be seen on our wharves."

**Vermont Cotton.**—Mr. Isaac Branch has raised some cotton this year in the state of Vermont, the first that ever grew in that state. It was planted about the first of May, and gathered the last of November.

#### CONGRESS.

**Washington, Jan. 16.**—In the Senate, yesterday, Mr. Marks presented a memorial from sundry merchants of Philadelphia, remonstrating against the proposed reduction of duties on teas, without a timely notice to the importers of teas. The bill to distribute a portion of the revenues of the United States among the

several States, was referred to a select committee of five. Mr. McKinley submitted a resolution, referring to the Committee of Foreign Relations so much of the President's Message as relates to the appointment of the King of the Netherlands as umpire in the controversy with Great Britain relating to the north east boundary of the United States, and referring it to the same committee to inquire whether, by the Treaty of Ghent and according to the constitution of the United States, the President alone has power to make such appointments. The Senate adjourned over to Monday.

In the House of Representatives, yesterday, after the resolutions were disposed of, the House took up the Pension bill, which occupied most part of the day, in Committee of the whole on the state of the Union. That having been put aside, on motion of Mr. Mercer, the blank left in the bill appropriating money for the preservation and repair of the Cumberland road, was filled with 100,000 dollars, by a vote of 83 to 76. Mr. Buchanan also offered his amendment. The Committee then took up the bill to provide for an exploring expedition, and having filled the blank with 50,000 dollars, the Committee rose and reported the two bills which had been acted on. The two bills were then ordered to be engrossed and read a third time to-day. A bill was reported from the Select Committee on Retrenchment, on the subject of Indian estimates, and another to make the elections of the assistant clerks of both Houses by the Houses. Mr. Wickliffe also laid a resolution on the table relative to a change of the rules by which the elections of the House shall be by the *viva voce* votes of members, as they are called in alphabetical order by the Clerk.

JANUARY 17.—The Senate did not sit yesterday.

In the House of Representatives, bills were reported from the Select Committee of Retrenchment, to regulate the printing and distributing the acts of Congress, and a joint resolution was reported from the Select Committee on the subject, to provide for printing the laws and treaties on stereotype plates. The House took up the resolution offered on Thursday by Mr. Wickliffe so to change the rule of the House as to make all elections by the *viva voce* votes of the members. Some brief discussion took place, when Mr. Weems moved to amend the resolution by adding the words "on the requisition of one fifth of the members present." The hour having then expired, Mr. Wickliffe moved to suspend the rule, in order to bring to a close the discussion, but the motion was negatived. The House then took up the unfinished business of Friday last, being the report of the Committee of Indian Affairs on the claims of certain citizens of Georgia, when, after some discussion, the Committee rejected the motion made by Mr. Thompson, to reverse the report of the Committee, there being ayes 66, noes 74. The Committee then rose and reported the report of the Committee of Indians Affairs without amendment. Mr. Thompson then renewed his motion to amend the report, and then the House adjourned.

**January 21.**—In the Senate, yesterday, the bill for the continuation of the Cumberland Road, westwardly from Zanesville, was ordered to a third reading. A bill amending the Judicial act of the United States, so as to authorize a less number of Judges of the Supreme Court than a quorum to adjourn the Court, from day to day, at any time after the day appointed for the meeting of the Court, was reported, from the Committee of the Judiciary, read twice, engrossed, passed, and sent to the House. The bill allowing \$2,762 to the heirs of Jacob Clement, deceased, for the demurrage of a vessel, at the port of Laguaira, which vessel was chartered by the United States, to convey provisions to that port, for the relief of the sufferers by the earthquake at Caracas, was debated for about two hours, and rejected, by a vote of 16 to 23.

A considerable time was spent yesterday, in the House of Representatives, in receiving and disposing of Resolutions. The bill to authorize the establishment of the territorial government of Huron, being a special order of the day for yesterday, was taken up; and after a short discussion, was ordered to be engrossed and read a third time to-day, by a vote of 123 to 70. The bill authorizing a subscription of 4,500 shares in the Washington Turnpike Company, was passed. The bill to continue the present mode of supplying the army, was taken up. An amendment proposed by the Committee on Military Affairs, to do away the present system of contracts, and to give to the Commissary General a discretionary power to purchase provisions, was rejected, and the bill was then ordered to a third reading. A bill from the Senate, the object of which is, to enable the Supreme Court to hold its sittings, should sickness or other causes prevent a quorum from being present, was carried through its several stages, and finally passed. Mr. Mercer made one or two attempts to get up the bill for the preservation and repair of the Cumberland Road, but was unsuccessful. A bill to authorize the cession of a tract of land,



held by the United States, in South Carolina, and called Mount Dearborn, to the State, was taken up, and ordered to be engrossed and read a third time tomorrow.

## The Journal.

SALISBURY:

TUESDAY, FEBRUARY 3, 1829.

### SULPHATE OF BARYTES—granular species.

The following communication to the editor, announcing the discovery of a large body of the above mineral in the county of Cabarrus, will, we doubt not, be interesting to many of our readers, and particularly to the mineralogist. The specimens which our correspondent has kindly sent us, are beautiful, and may be seen at this Office by any one whose curiosity may lead him to examine them.

DEAR SIR:—I have sent you two specimens of the Sulphate of Barytes, of the granular species, lately discovered in this county.

The mineral is found at two different localities. The one on the plantation of Henry Caraker, not far from the residence of General Hargraves; the other locality is the mine of Capt. McKee & Co. both in the south-western section of the county. It exists in large slabs and compact masses, running parallel and generally contiguous to the vein or matrix of the precious metal; and in some instances, containing on its surface small quantities of Gold. You will observe, from the specimens, that the mineral is of great specific gravity, is not acted upon by the acids and is susceptible of a very high polish. From its softness, its beautiful lustre, its snow-white colour and other characteristics, the inference is easy, that it might be subservient to a variety of useful purposes, which will be better understood by experience. It is said to constitute a good base for water-colours—to be a good metallurgical flux—and, intermixed with the carbonate of lead, to make an excellent substitute for the best white-lead, giving to paint a durable body or coat, and being far preferable to the common adulterations of that article. Should it resist a long exposure to the action of the atmosphere, this mineral would be valuable for many domestic uses. It would be very suitable for tomb-stones, hearths, &c.—Heat increases its hardness and color. By making public this brief notice of a very interesting substance, you will favour much the cause of mineralogy, and probably divert a small portion of that enterprise which is beginning to be so successfully and so avariciously devoted to the "auriferous fumes," from this all-absorbing channel to another subject, that may be very easily prosecuted at the same time with the investigation of the mines, and which may result in many advantages to the country and cause the gold mines to be a source not only of wealth to their owners, but of information and usefulness to all lovers of science and to the whole community.

A FRIEND TO SCIENCE.

Cabarrus county, Jan. 26, 1829.

FOR THE YADKIN AND CATAWBA JOURNAL.

### BANKS

#### Of North and South Carolina.

The committee of the Banks of North Carolina state, that they have bought U. S. Bank Stock, to acquire specie and because it would add to the facility of paying the demands of the Bank, as the payment of an interest, without a profitable investment of their specie funds, would produce loss. This Bank Stock yielded a regular dividend and commanded specie. The system has produced benefit and the condition of all the Banks has been improved. Cape Fear is a specie paying Bank.

It is unnecessary to say that these reports have occasioned an alarm throughout every commercial community in the United States; and it will be well if it produces the desired benefit, and demonstrates the absurdity of such a multiplication of institutions for the management of the capital of the country. So utter an ignorance of the common principles of Banking as has been exhibited in North and S. Carolina, cannot be imagined. However, it is satisfactory to see that one Bank has at last discovered that the true source of safety and profit is in the holding available and productive funds and issuing on the credit of those funds. The Cape Fear Bank can pay all the specie that may be demanded of it; but while it is known that it holds such funds, but little specie will be asked of it; and it will be the last Bank the U. S. Bank will press for its notes: and if the proprietors of the State Bank would even now come to a determination to continue the purchase of Bank Shares and issue paper on the credit of these shares, it could afford so to extend its credit, as to ensure safety to its own debts and ease to its debtors—in all cases at least, where the extravagance of the parties and their thirst for foreign luxuries, did not totally preclude the possibility of their ever managing their own property to advantage. Should the Bank adopt this line of conduct and be seconded by the prudence industry and economy of the people of N. and S. Car. their debts would be discharged in a very short space of time. But as long as the farmer is dependent on the artisans and mechanics of New and Old England and

\*Though ultra liberals may object to the scheme, I should hope the Bank, in its indulgence, would look to the circumstance, whether the object depends on his own industry or that of others, for subsistence. This should be the case and would be effectual. I know some may object to the difficulty of transporting provisions. Let them compel the improvement of the Roads. Let them drive from their Legislature those dolts who preclude the employment of proper talents in the execution of public works. If the recommendation of Hamilton Fulton, to lay down a short Railway from Raleigh to Swift Creek, in 1821, had been attended to, would the people of Rowan have sold their wheat at 75 cents in 1828?

the western States, for what he can so easily produce at home, no advantage can be reaped; and more especially with a falling market for the hitherto great staple of the country, Cotton.

How satisfactory to see that already there is an actual improvement in a general way. The foreign debt of the country is diminishing; exchange is falling; and instead of the enormous premium of 10 per cent. hitherto paid on every dollar of debt owing to Europe, it is likely to sink to five, perhaps 2 per cent. An accurate attention to the state of exchange can never fail to indicate the prosperity or adversity of a country. But I know this is a contested point, and only give it as an opinion, illustrating it by a reference to Low (state of England, ch. 4) and adding that with a high rate of exchange, it is ridiculous to talk of a specie basis. The Bank of the U. States, with 31 millions out on personal security, &c. has but \$6,600,000 distributed from Louisiana to Maine. It has 20 Offices, thus giving about \$330,000 to each;—but it has universal credit and possesses the unlimited confidence of America & Europe. This credit and confidence are daily augmenting, and, there is no doubt, must lead to a still harsher crippling of the efforts of the State Banks; for, in 1822, the notes of the State Banks in the hands of the U. S. Bank, amounted to but \$664,000, when in 1828, they were \$1,450,000, or an annual profit (7 per cent.) of \$97,500.

The progress of this Institution, arising from the cheapness and correctness of its management, should lead not only to the investment of all State funds in its shares, but prepare the public for the period when it will be difficult to counteract its measures, in such manner as not to make State Banking very unprofitable. For to take Fayetteville and Charleston as instances, it is in vain to say that the multiplied Institutions of these towns must not prove too expensive to be continued. The affair will be hastened by the rapid payment of the public debt. Apparently this debt will be extinguished in four years; in other words, 50 millions of dollars will be liberated for general use. Of this debt, the Bank now holds \$16,900,000. It is natural to suppose that new Branches will be extended to other sections of the Union and the capital of the old offices be augmented. It surely is but prudence to prepare for the crisis that will be produced; for if the commerce of the world is to continue as divided as it is by the continuance of peace, it is not unreasonable to suppose that there will be in the U. States an immense surplus of capital. Interest must fall to 5 per cent. possibly lower. Of the progress of this Institution, we may form an accurate opinion by the last report.

The increase of capital was \$7,500,000  
Circulation, - - - - - 7,080,000  
Investments in public debt, - - - 3,910,000  
Loans, - - - - - 8,300,000  
Real Estate, - - - - - 1,700,000  
Banking Houses, - - - - - 245,000  
State Bank Notes, - - - - - 793,000  
Specie, - - - - - 3,246,000

Or a total of \$18,263,968; and a decrease of the debt of State Banks of \$1,650,000, which, with the bonus, &c. makes a total increase of \$16,210,848 in six years. The Bank has now a surplus fund of \$1,500,000, and has just declared a dividend of 3½ per cent. for six months.

Having said all I wish on the present occasion, I would only add a few crumbs of comfort to the low-spirited and those dejected with the actual state of things. They are unaware there is now an universally increasing power in the State, especially in a nation so young and elastic as is the United States. Low finally illustrates the idea by calling our attention to the fact that individuals born in 1822, 3, 4, were entering in 1823 the age of productive labor and representing it in form of money; he calculates the annual addition to British income at £3,000,000, &c. computes the increase of National Income from the progress of productive industry and population, and assuming the addition to revenue only £900,000, he shows that in 1830 there will be from an annual increase of the produce of taxes, a sum equal to £11,200,000. The taxes are calculated as they are. This is a subject ever forgotten; but I trust the Bank of North Carolina will not let it enter into their calculations, but act in a mild and lenient manner. For let the spirit of Internal Improvement be fostered, and let the farmer not sink one-third the value of his wheat in its conveyance to market, and every man wear his coat of Domestic Carolina Manufacture, and soon would the debts be paid and plenty produced. South Carolina has paid or is to pay \$96,000 for Iron for the Augusta Railway, to Great Britain. How fortunate would it have been, if this sum could have been paid to North Carolina; and how easily, if activity had been exhibited, could not the Iron have been produced, and the road made from the place of production. Here there is a source of immense profit. It is only for the people to be on the alert. I may again address you on the subject.

PUBLICOLA.

Charles G. Dudley is elected Senator from New-York, in the place of Mr. Van Buren.—Nathaniel Silsbee is re-elected Senator from Massachusetts.—Jno. Holmes is elected Senator from Maine in the place of Mr. Parris, resigned.

Flour.—The opening of the British ports for the admission of foreign grain, appears to have had very little effect on the price of Flour in the Northern Cities. Speculators, under the expectation that the English ports would be opened, had bought up large quantities of flour at high prices—from 7½ to 8 dollars; but since the ports have opened, they have found, that after deducting freights, commissions, insurance, &c. they can derive no profit from sending flour to England, the cost of which was over 8 dollars. There is, consequently, no demand for flour, in the Northern Markets; and there seems to be little probability of any immediate rise in the price.

The committee of the Senate, to whom were referred the petitions, from different parts of the country, against transporting the mail on the sabbath, have made a report adverse to the same. The committee say, that as the petitions, in many instances, lay it down as an axiom, that the practice [of transporting the mail on the sabbath] is a violation of the law of God, should Congress, in their legislative capacity, adopt the sentiment, it would establish the principle that the Legislature is a proper tribunal to determine what are the laws of God. This reasoning appears to us to be more specious than solid. There are other parts of the report, however, which contain important truths and sound reasoning; but our limits will not permit us, at this time, to make any extracts.

The second series of Maj. Alexander Garden's "Anecdotes of the American Revolution," is enriched, says the National Gazette, with interesting traits and adventures. In the number of instances of female patriotism, we do not regard as the least curious, the common resolution which "the young ladies of the best families in Mecklenburg and Rowan counties, North-Carolina, adopted and proclaimed, to refuse the addresses of any young gentleman of their counties except the brave volunteers who served in the expedition to South-Carolina, and assisted in subduing the Scovellite insurgents."

We know not from what source Maj. Garden obtained his information; but we suspect the circumstance which he relates will be new to the people of Mecklenburg and Rowan.

The aristocracy of Virginia are determined to prevent any reform in the government, although a large majority of the freeholders have demanded it. With the strongest professions of republicanism on their lips, the dominant party in Virginia are as thorough aristocrats in practice, if not in feeling, as any of the privileged orders in Europe. They have now declared, in contempt of the wishes of the people, that in the Convention about to be held in Virginia, the counties shall be equally represented; consequently the inequality of representation in the Legislature, so long, so loudly and so justly complained of, is to be entailed upon the State, unless the people, in the exercise of their natural and unalienable rights, organize a Convention on just principles, independent of the Legislature, and establish such a government as they would be willing to live under. Their right to do this cannot be questioned; and they should do it, rather than degrade themselves by submitting any longer to a proud and haughty aristocracy.

The whole number of deaths in Boston, for the year ending Dec. 31, 1828, according to the returns made at the Health Office, was 1233. In the catalogues of diseases are 229 by pulmonary consumption; 9 by accidents; 35 by dropsy of the brain; 178 by unknown diseases; 44 of old age; 74 still born; suicide 9; and shocking to relate, thirty-four by intemperance!

Counterfeit Half Dollars.—We were yesterday shew a counterfeit Half Dollar, which was received in change, of the United States, and bears the date of 1827. The execution is so good, that if particular attention was not drawn to it, most persons would receive it without suspicion. It is lighter than the genuine Half Dollar; the stars around the head, and the figures 1827 are not so clear and smooth as if cut with a die. These are the only marks by which we would have detected it. Chas. Courier.

Savannah, Jan. 17.—Murder.—A friend has shewn us a letter from a gentleman in Darien dated 15th inst. wherein it is stated that on the night previous a diabolical murder was committed on the body of the lady of a Mr. Harden, by a person named George McDonald, well known in Savannah, and that the murderer had escaped.

Georgian.

The Central Bank of Georgia is not yet organized. The three Directors have the choosing of a President and each being himself a candidate, all their meetings have as yet broken up without a choice. The Milledgeville Statesman and Patriot says "it is rumored that Henry W. Malone is to be Cashier, and the Rev. Samuel K. Hodges, Book Keeper."

Thus uniting Church and State.

Dismal Swamp Canal.—We are informed by the Norfolk papers, that the water was let into this Canal on Wednesday last, and that a boat with staves, belonging to Mr. Cluff, Merchant of Elizabeth City, N. C. has passed through the canal, being the first; and that a number of others are on their way to Norfolk.

This Canal will open an avenue 400 miles in extent, to many of the finest counties in North Carolina and Virginia. Cotton, Tobacco, and millions of bushels of Wheat, which, it has been truly observed, from the expense of land carriage, would never have found its way to market, even had it been raised, will now be drawn from the bosom of the earth, and sent forth to "strengthen man's heart."

List, list, oh list.—A worthy old lady, who was given to quoting scripture for every thing she did, told her graceless son on a cold winter's day, to list the door in order to keep the wind out. "That will only make it worse, mother," said he, "for you know, 'the wind bloweth where it listeth.'"

Lord Mansfield and a Jew.—"Mr. Abrahams, said Lord Mansfield, 'this is your son, and cannot go in the same bad bond.' 'He is not my son, my Lord.' 'Why Abrahams, here are twenty in court will prove it.' 'I will shew my Lord he is not.' 'Take care, Abrahams, or I will send you to the Kings Bench.' 'Now my Lord, if your Lordship please, 'I will tell you the truth.' 'Well, I shall be glad to hear the truth from a Jew.' 'My Lord, I wash in Amsterdam two years and three quarters; when I came home I find this lad; now the law obliges me to maintain him; and consequently my Lord he is but my son in-law.' 'Well Moses,' rejoined Lord Mansfield, 'this is the best definition of a son-in-law I ever heard.'"

Talleyrand.—Some one asked this singular man at a time, when every thing was fear and suspense, 'Well, prince, how are affairs going?' 'Why, just as you see,' was the reply. The gentleman, to whom the reply was made, squinted; or, as the fashionable phrase is, had an optical indecision.

### Married.

In Washington, Geo. Maj. A. H. Sneed, to Mrs. Mary Roddy.

### DIED.

In Charlotte, on the 25th ult. very suddenly, Mr. Thomas Gillespie, formerly of this county.

### THE MARKETS.

Fayetteville, Jan. 21.  
Cotton 8½ a 9; bagging 20 a 24; bacon, 6 a 8; corn 35 a 40; coffee 16 a 16½; flour 575 a 630; flaxseed 89; iron 550 a 650; lard 7 a 7½; molasses 37 a 40; nails 9; oats 22 a 25; sugar, common, 10½ a 11 prime 11 a 12; salt 125; wheat 130, whiskey 25 a 30.

Columbia, Jan. 17.  
Cotton, 8½ a 9 3/4; Bagging, yard, 21 a 25; Bacon, lb. 7 a 8; Bale Rope, lb. 14 a 16; Coffee, lb. 17 a 20; Corn, bushel, 43 a 45; Iron, Bar, 5 a 6½; Molasses, 45 a 50; Salt, Liverpool, 75 a 87½; Sugar, 10 a 12½; Flour 5 a 6.

Cheraw, Jan. 21.  
Cotton, 8½ a 9½; Bagging, 23 a 25; Rope, 10 a 12; Coffee, 17 a 19; Sugar, 10 a 12; Salt; Bacon, 8 a 10; Corn, 40; Flour 4½ a 5; Whiskey, 35 a 37½; Molasses, 45. Flax Seed, 70; Oats, 20.

Charleston, Jan. 22.  
Cotton 9 a 10; bagging 22 a 24; bacon 6 a 7; apple brandy none; corn 43 a 52; coffee, prime green, 14 a 15; inferior to good, 12 a 13; iron 44; molasses 30 a 31; sugar, brown, 10; Muscovado 8 a 10; salt, Liverpool, 40; T. Island 48 a 50; whiskey 26 a 27; Flour 8 a 8½.  
North-Carolina Bank Bills, 2½ per cent. dis.

### AUCTION SALE.

I WILL sell, at Public Auction, in front of my present residence in the town of Charlotte, on Thursday, the 26th of February, (being the week of Mecklenburg County Court,) all my Household and Kitchen Furniture, a number of Valuable Servants, Corn, Fodder, Bacon and Lard; a new northern made Peddling Wagon; a handsome light four wheel Carriage; a pair of young well broke HORSES, (good match,) Milch Cows, &c. &c.

Among the articles of furniture are the following, viz:—

Four or five first rate BEDS and Furniture,  
One elegant northern made Mahogany SIDE-BOARD,  
One do. Bureau, with Mirror,  
One do. Dining Table,  
One do. Tea, do.  
One do. Work, do.  
One Walnut Dining do.

One dozen elegant Gilt Mahoganyized, rush bottom CHAIRS,  
One do. WINDSOR, do.  
One handsome Clock, Mahogany case (good time piece),  
One pair Brass Andirons and Fender,  
China, Delf and Glass Ware, &c. &c.

Any part of the above property can be contracted for privately before the day of sale, should any think proper to do so. Terms made known on the day of sale.

GREEN KENDRICK.

Charlotte, January 28, 1829.—4t21.

### TRUST SALE.

BY virtue of a Deed of Trust, executed to me by Robert Cook, of Mecklenburg county, for purposes therein expressed, I shall proceed to sell to the highest bidder, for CASH, on Saturday, the 21st of February next, at the house of said Cook, three valuable young NEGROES. Sale to commence at 12 o'clock.

JAS. DINKINS.

January 26, 1829.—3t20.

### A FIRST RATE

English Teacher Wanted,  
To take charge of a School in or near Statesville. Apply to Thos. A. Allison or James McKnight, in Statesville.  
January 26, 1829.—2t19.

### KYLE & MEENAN,

EARNESTLY request those indebted to them to make payment. The nature of their business precludes the possibility of further indulgence than till February Court. 3t19.

### ALBERT TORRENCE,

HAVING associated himself with Horton & Hutton, of Fayetteville, as partners in trade, the business will hereafter be conducted under the name of Horton, Hutton & Co. in Fayetteville, and A. Torrence & Co. in Salisbury. A Torrence & Co. are now receiving, and will continue to keep on hand, an extensive assortment of

DRY GOODS AND GROCERIES, which they offer low for cash. Also, a large assortment of

Shoes and Leghorn Bonnets. All those indebted to the subscriber, will please call and settle their accounts. A. TORRENCE.  
January 12, 1829.—17\*.

### John F. Phifer's Estate.

THE subscriber having qualified as Administrator of the Estate of John F. Phifer, deceased, requests all persons indebted to said Estate, to come forward and make payment; and all those having claims against said Estate, to present them, within the time prescribed by law, or they will be barred of recovery.

### SALE OF PROPERTY.

He will offer for sale, at the late residence of the deceased, on Wednesday, the 18th day of February ensuing, and continue from day to day, until all is sold,

Household and Kitchen Furniture, among which is an excellent

PIANO FORTE;  
Farming Utensils, a quantity of Corn, Hay and Fodder, 20 or 30 Bales of Cotton, Horses, Cattle, &c. &c.

A credit of twelve months will be given, the purchasers giving bond and approved security. He will also hire, at the same time, until the 25th of December next, a number of valuable Negroes. ROBT. MCKENZIE, Adm'r.  
January 22, 1829.—3t19.

### Notice.

ON Friday, the 15th of next month, in the town of Concord, I will sell the tract of land on which Jas. Gardner now lives, containing about two hundred and sixteen acres. The Land will be sold by virtue of a Deed of Trust. A credit of twelve months will be given, the purchaser giving bond and security. WM. J. ALEXANDER.  
January 22, 1829.—3t19.

### NOTICE.

THE subscriber having associated himself as a Partner in trade with Messrs. Horton & Hutton, of Fayetteville, his business, in future, will be conducted under the firm of

### A. TORRENCE & CO.

in Salisbury, and in Fayetteville, under the firm of HORTON, HUTTON & CO. A. TORRENCE.  
January, 12, 1829.—16.

### Wilkesboro' Academy,

UNDER the care of the Rev. Mr. Anderson, is now in operation. The subscriber will receive a few young men as boarders. He promises that he will pay strict attention to the improvement of the youth intrusted to his care. Wilkesboro' is situated in the mountains, in one of the most delightful climates in the world;—those who wish to give their sons a healthy constitution, and have their minds improved, have now an opportunity of doing so. HORACE B. SATTERWHITE.  
May 17, 1828.—82t.

### The Wilkesboro' Hotel

Is now open and amply provided for the accommodation of visitors. Its local situation on the valley of the Yadkin, nearly central between the Blue Ridge and the Brushy mountains, is picturesque, healthy and inviting. Add to this, a pure and salubrious atmosphere, excellent water, the agreeable society of a pleasant village, spacious and commodious rooms, a chalybeate spring in the vicinity, and but little would seem wanting to insure the traveller a few weeks repose and enjoyment among the mountains.

The subscriber has been accustomed to this line of business in one of our northern cities; and he assures those disposed to favor him with a call, that no exertion shall be wanting, on his part, to render them comfortable.

The lines of stages from Salem to Knoxville, and from Cheraw to Wilkesboro', stop at the Hotel, affording an easy access to the above establishment. Fare, five cents per mile.—Way passengers six and a quarter cents.

G. V. MASSEY.

Wilkesboro', N. C. May 30, 1828.—84t.

### DISSOLUTION.

THE CO-PARTNERSHIP heretofore existing between THOMAS TROTTER & Co. was dissolved on the 15th instant, by mutual consent. Persons indebted to us will please call and settle their respective accounts, without delay, as we wish to close the concern as soon as possible.

Charlotte, Jan. 22, 1828.—66.

### TROTTER & HUNTINGTON,

WATCH MAKERS AND JEWELLERS,

OF the late firm of THOMAS TROTTER & Co. have removed their establishment to the building opposite Mr. Jno. Sloan's new house, about 50 yards north of the court-house, where they are prepared to carry on the above business, in all its various branches, with neatness and despatch. They have a handsome assortment of gold and silver Patent Levers, and good plain watches; Gentlemen's and Ladies' gold Chains, Seals and Keys; Pearl, Filagree and Paste Ear Rings, Breast Pins and Finger Rings, of handsome patterns; Silver Table and Tea Spoons, and various other articles in their line, which they will sell low for cash. No exertions will be spared, on their part, to give complete satisfaction to those who may favor them with their patronage. Charlotte, N. C. Jan. 29, 1828.—66.



# POETRY.

## FROM THE WHIG.

### THE WAGONER.

I've often thought if I were ask'd,  
Whose lot I envied most,  
What one I thought most lightly task'd  
Of man's unnumber'd host,  
I'd say, I'd be a mountain boy,  
And drive a noble team, wo-hoy!

Wo-hoy! I'd cry,  
And lightly fly  
Into my saddle seat;  
My rein I'd slack,  
My whip I'd crack!  
What music is so sweet!

Six blacks I'd drive of ample chest,  
All carrying high the head,  
All harness'd tight and gaily drest,  
In winkers tipp'd with red,  
Oh yes, I'd be a mountain boy,  
And such a team I'd drive, wo-hoy!

Wo-hoy! I'd cry,  
The lint should fly;  
Wo-hoy, Dobbin!—Ball!  
Their feet should ring,  
And I would sing,  
I'd sing my fal de ral.

My bells would tingle, tingle-ling,  
Beneath each bearskin cap,  
And as I saw them swing and swing,  
I'd be the merriest chap,  
Yes, then I'd be a mountain boy,  
And drive a jingling team wo-hoy!

Wo-hoy! I'd cry,  
My wheels should fly,  
Each horse would prick his ear,  
With tighten'd chain,  
My lumbering wain,  
Would move in its career.

The golden sparks you'd see them spring  
Beneath my horses' tread,  
Each tail I'd braid it up with string  
Of blue or flaunting red:  
So does you know the mountain boy  
Who drives his dashing team, wo-hoy!

Wo-hoy! I'd cry,  
Each horse's eye,  
With fire would seem to burn;  
With lifted head  
And nostril spread,  
They'd seem the earth to spurn.

They'd clasp the bit and fling the foam,  
As on they dragg'd my load,  
And I would think of distant home,  
And whistle upon the road.

Oh, would I were a mountain boy,  
And drove a six horse team wo-hoy!

Wo-hoy! I'd cry:  
Now by yon sky,  
I'd sooner drive those steeds,  
Than win renown,  
Or wear a crown,  
Won by victorious deeds.

For crowns oft press the languid head,  
And health the wearer shuns,  
And victory trampling on the dead,  
May do for Götis and Huns.  
Seek them who will—they have no joys,  
For mountain idle and wagon boys.

## VARIETY.

Mixing together profit and delight.

### CAPTAIN SMITH.

All readers of American history, and particularly those conversant with that of the settlement of Virginia, will be more or less acquainted with the important part which Capt. Smith bore in that enterprise. We do not remember, however, to have seen before in so condensed a form any notice of the life and adventures, before his arrival in Virginia, of this great man—for great he in truth was—as that which will be found below; and for which we are indebted to Smith's history of Virginia. The adventures it records are almost incredible; yet there is, we presume, no reason to doubt their authenticity. Indeed, the hero of them seemed to have been reserved for extraordinary adventures in both worlds; for the preservation of his life from the vengeance of Powhatan, the great chief of Virginia, by the intercession, at the very moment of execution, of his daughter Pocahontas (which, of undoubted authenticity, is quite as romantic and singular as any of the previous hair-breadth escapes. It is impossible to think that the toils and perils and sorrows of this distinguished man, who for a long period rendered assistance to the colony he loved and bravely served, by the factions and ill conduct of some of his associates. His name, however, must ever be held in veneration as one among the chief founders of the old dominion.

N. Y. Amer.

### BIOGRAPHY OF CAPTAIN SMITH.

He was born a gentleman to a comfortable fortune, at Willoughby, in Lincolnshire, in the year 1575. From his very childhood he had a roving and a romantic fancy, and was strangely set upon performing some brave and adventurous achievement. Accordingly, being about thirteen years of age, at

school, he sold his satchel and books, and all he had, to raise money, to go secretly beyond the sea. But his father dying just at that time, he was stopped for the present, and fell into the hands of his guardians, more intent upon improving his estate than him. However, at fifteen, in the year 1590, he was bound to a merchant at Lynne, the most considerable trader in those parts. But because he would not send him immediately to sea, he found means, in the train of Mr. Peregrine Berty, second son of the lord Willoughby, to pass into France. Here, and in the low countries, he first learned the rudiments of war, to which profession he was led, by a strong propensity of genius. He was afterwards carried into Scotland, with delusive hopes from a Scottish gentleman, of being effectually recommended to king James. But soon finding himself baffled in his expectations, he returned to Willoughby by his native place; where, meeting with no company agreeable to his way of thinking, he retired into a wood, at a good distance from any town, and there built himself a pavilion of boughs, and was wholly employed in studying some treatise on the art of war, and in the exercise of his horse and lance. But his friends, being concerned at such a whimsical turn of mind, prevailed with an Italian gentleman, rider to the earl of Lincoln, to insinuate himself into his acquaintance; and as he was an expert horseman, and his talent and studies lay the same way with Mr. Smith's, he drew him from his sylvan retirement to spend some time with him at Tattersall's.

But Smith's restless genius soon hurried him again into Flanders; where lamenting to see such effusions of christian blood, he resolved to try his fortune against the Turks. In order to do this, he passed thro' France, with variety of adventure and misfortune, in which he always showed a high and martial spirit. At Marseilles he embarked for Italy. But the ship meeting with much foul weather, a rabble of pilgrims on board hourly cursed him for a Hugonot, rail'd at Queen Elizabeth and his whole nation, and swore, they should never have fair weather as long as he was in the ship. At last the passions of these pious christians rose so high, that they threw him overboard; trusting, they may suppose, in the merit of supererogation of that holy pilgrimage, to expiate the trifling offence and peccadillo of murder. However, Smith, by the divine assistance, got safe to a small uninhabited island, against Nice in Savoy. From thence he was, the next day, taken off by a French rover, who treated him very kindly, and with whom he made the tour of the whole Mediterranean, both on the Mahometan and christian coast. At length, after a desperate battle, having taken a very rich Venetian ship, the generous Frenchman set him ashore with his share of the prize, amounting to five hundred sequins in specie, and a box of rich commodities worth nearly as much more. And now out of curiosity, ranging all the regions and principalities of Italy, he at length went to Vienna and entered himself a gentleman volunteer, in count Meldritch's regiment against the Turks.

He had not been long in the christian army, before he was distinguished for a man of great personal bravery; and in the sieges of Olupagh and Alba Regalis, he was the author of some stratagems, which showed a happy talent for war, and did signal service to the christian cause. He was thereupon immediately advanced to the command of a troop of horse; and was soon after made sergeant major of the regiment, a post at that time next to the lieutenant colonel. But count Meldritch, a Transylvanian nobleman by birth, afterwards passed with his regiment, out of the imperial service into that of his natural prince, Segismund Bathori, duke of Transylvania. And here, endeavoring to recover some patrimonial lordships, then in the possession of the Turks, he laid siege to a strong town, chiefly inhabited by renegadoes and banditti. Whilst their works were advancing slowly, and with great difficulty, a Turkish officer issued out of the town, and challenged any christian of the dignity of a captain, to a single combat. Many were eager of the honor of humbling this haughty Mussulman; but it was at last decided by lot, in favor of captain Smith. Accordingly, the ramparts of the town being filled with fair dames and men in arms, and the christian army drawn up in battalia, the combatants entered the field, well mounted and richly armed, to the sound of hautboys and trumpets—where at the first encounter Smith bore the Turk to the ground, and went off triumphantly with his head. But the infidel garrison being enraged at this, he afterwards en-

gaged two other officers; and being a great master of his arms, and the management of his horse, he carried off their heads in the same manner. After which, being attended with a guard of six thousand men, with the three Turkish horses led before him, and before each a Turkish head upon a spear, he was conducted to the general's pavilion; who received him with open arms, and presented him with a fine horse, richly caparisoned, and with a scimitar and belt worth three hundred ducats. Soon after, the duke himself, coming to view his army, gave him his picture set in gold—settled three hundred ducats upon him, as a yearly pension, and issued his letters patent of noblesse, giving him three Turks heads in a shield, for his arms—which coat he ever afterwards bore—and it was admitted and received in the herald's office in England, by sir William Segur Carter, principal king at arms. But soon after, the duke of Transylvania was deprived of his dominions by the emperor; and Smith, at the fatal battle of Rotterton, in the year 1601, was left upon the field among the dreadful carnage of christians, as dead. But the pillagers perceiving life in him, and judging by the richness of his habit and armor that his ransom might be considerable, took great pains to recover him. After that, he was publicly sold among other prisoners; and was bought by a bashaw, who sent him to Constantinople, as a present to his mistress, Caratze Tragabazanda, a beautiful young Tartarian lady.

Smith was then twenty three years of age, in the bloom of life, and, as it seems, of a very handsome person. For this young lady was so moved with compassion or rather love, for him, that she treated him with the utmost tenderness and regard—and to prevent his being ill used or sold, by her mother, she sent him into Tartary, to her brother, who was bashaw of Nalbritt, on the Palus Mæotis.—Here she intended he should stay to learn the language, together with the manners and religion of the Turks, till time should make her mistress of herself. But the bashaw suspecting something of the matter, from the affectionate expressions with which she recommended and pressed his good usage, only treated Smith with the greater cruelty and inhumanity. Smith's high spirit, raised also by the consciousness of Tragabazanda's passion, could not ill brook this rash treatment. At last, being one day threshing alone, at a grange about a league from the house, the bashaw came and took occasion so to kick, spurn and revile him, that forgetting all reason, Smith beat out his brains with his threshing bat, then reflecting upon his desperate state, he hid the body under the straw, filled his knapsack with corn, put on the timor's clothes, and mounting his horse, fled into the deserts of Circassia. After two or three days' fearful wandering, he happened, providentially, to get on the Castragan or great road that leads into Muscovy. Following this for sixteen days, with infinite dread and fatigue he at last arrived at a Muscovite garrison, on the frontiers.—Here he was kindly entertained, and respected, as also at all the places through which he passed. Having travelled through Siberia, Muscovy, Transylvania, and the midst of Europe, he at length found his old friend and gracious patron the duke of Transylvania, at Leipsiek, together with count Meldritch, his colonel. Having spent some time with them, the duke at his departure, gave him a pass, intimating the service he had done, and the honors he had received; presenting him at the same time with fifteen hundred ducats of gold to repair his losses; and although he was intent on returning to his native country, yet, being furnished with this money, he spent some time in travelling through the principal cities and provinces of Germany.—From the last, being led by the rumors of wars, he passed over into Africa, and visited the court of Morocco. Having viewed many of the places and curiosities of Barbary, he returned from France to England; and in his passage in a French galley, they had a most desperate engagement, for two or three days together, with two Spanish men of war. In England, all things were still, and in the most profound peace; so that there was no room or prospect for a person of his active and warlike genius. And, therefore, having spent some time in an idle and uneasy state, he willingly embarked himself with captain Gosnold, in the prospect of settling colonies in America, and came to Virginia.

His conduct there hath been sufficiently related; and I shall finish his character, with the testimonies of some of his soldiers and fellow adventurers. They own him to have made justice his first guide, and experience his second.

That he was ever fruitful in expedients, to provide for the people under his command, whom he would never suffer to want any thing he either could lead, procure; that he rather chose to lead, than send, his soldiers into battle; and, upon all hazardous or fatiguing expeditions, always shared every thing equally with his company, and never desired any of them to do or undergo any thing that he was not ready to do or undergo himself; that he hated baseness, sloth, pride, and indignity, more than any danger; that he would suffer want, rather than borrow—and starve sooner than not pay; that he loved action more than words—and hated falsehood and covetousness worse than death; and, that his adventures gave life and consistency to the colony, and his loss was ruin and destruction. They confess that there were many captains in that age (as there are indeed in all ages,) who were no soldiers; but that captain Smith was a soldier, of the true English stamp, who fought, not for gain or empty praise, but for his country's honor and the public good; that his wit, courage, and success here, were worthy of eternal memory; that by the mere force of his virtue and courage, he awed the Indian kings, and made them submit and bring presents; that, notwithstanding such a stern and invincible resolution, there was seldom a milder and more tender heart than his; that he had nothing in himself counterfeit or sly, but was open, honest, and sincere; and, that they never knew a soldier, before him, so free from those military vices, of wine, tobacco, dice and others.

**Byron and Shelley.**—Shelley, at the gates of Pisa, threw himself between Byron and a dragoon, whose sword in his indignation was lifted and about to strike. Byron told a common friend, sometime afterwards, that he could not conceive how any man living should act so. "Do you know he might have been killed? and there was every appearance that he would be!" The answer was, Between you and Shelley there is but little similarity and perhaps but little sympathy; yet what Shelley did then, he would do again, and always. There is not a human creature, not even the most hostile, that he would hesitate to protect from injury at the immediate hazard of his life. And yet life, which he would throw forward so unguardedly, is somewhat more with him than others; it is full of hopes and aspirations, it is teeming with warm feelings, and it is rich and overrun with its own native simple employment.

In him, every thing that ever gave pleasure gives it still, with the same freshness, the same exuberance, the same earnestness communicate and share it."—"By heaven! I cannot understand it!" cried Byron; "a man to run upon a naked sword for another." \* \* \* Innocent and careless as a boy, Shelley possessed all the delicate feelings of a scholar, and united in just degrees the ardour of the poet with the patience and forbearance of the philosopher. His generosity and charity went far beyond those of any man, I believe, at present in existence. He was never known to speak evil of an enemy, unless that enemy had done some grievous injustice to another; and he divided his income of only one thousand pounds with the fallen and afflicted. This is the man against whom much clamour has been raised by poor prejudiced fools, and by those who live and lap under their tables; this is the man whom, from one false story about his former wife, I had refused to visit at Pisa! I blush in anguish at my prejudice and injustice and ought hardly to feel it as a blessing or a consolation, that I regret him less than I should have done if I had known him personally.

Lander.

## The Banks.

We have already published the report and counter report of the Committee on the Banks; we now publish the Bill which elicited so much discussion in the Legislature, and which was rejected on its third reading.

### A BILL

Directing a prosecution against the State Bank, and regulating the proceedings therein, and to restore and preserve the charter of the circulating medium.

Whereas it appears to the Legislature that the several Banks of this State have violated their charters, and that the State Bank has been guilty of frequent and manifest abuses of the fundamental articles of its charter, inasmuch that it is deemed the imperative duty of this Legislature to cause a judicial investigation to be commenced against it: Therefore

Be it resolved by the General Assembly of the State of North-Carolina, That the Attorney General be, and he is hereby directed forthwith to institute a judicial enquiry into the conduct of the said State Bank; and that he prosecute such enquiry by information in the nature of a writ of quo warranto or other legal process;

and to prevent unnecessary delay or obstruction to such investigation,

Be it enacted by the General Assembly of the State of North-Carolina, and it is hereby enacted by the authority of the same, That the Supreme Court of North-Carolina does and shall possess jurisdiction of all cases of abuse of trust and violations of charter by corporations or the individual members thereof; and shall be authorized to proceed against the same by presentment, indictment, scire facias, quo warranto, or such writ or process as the case may require, returnable at such time as the court may prescribe, the same being conformable to the principles and usage of the law, and for that purpose shall be authorized to summon juries from any of the counties within the State, and require the attendance of witnesses, and the attendance and services of officers of the law, under rules analogous to those which apply to other suits and proceedings in law and equity; and with a view to the speedy decision of the particular investigation herein directed, the Judges of the Supreme Court aforesaid are hereby authorized and directed, to hold an extra session of said court, to commence on the first Monday of February next, and continue in session from day to day until the said investigation be terminated.

Be it further enacted, That upon a judgment or decree of forfeiture of the franchises of any corporation being had, or that the same is dissolved, it is hereby declared that such dissolution shall not work an extinguishment either of the debts due to or from such corporation; but all the property, real and personal, of such corporation, and all the debts due to the same shall and are hereby declared to be vested in the State, to be disposed of for the benefit of the parties concerned in the manner hereinafter provided; and commissioners, who shall forthwith take into their possession all the property and effects of every description whatever of such corporation, and proceed to wind up the affairs thereof, under such regulations as may be prescribed by the court, always having due regard to the rights of the stockholders, the claims of the creditors, and the condition of the debtors; and in the mean time, to prevent injury, which might otherwise accrue to persons holding the notes of the State Bank aforesaid, the Governor is hereby authorized and requested, as soon as this act shall be ratified, to issue his proclamation, setting forth the causes of this prosecution, declaring the solvency of the State Bank aforesaid, and pledging the faith of the State for the redemption of its notes.

Be it further enacted, That the commissioners, appointed in pursuance of this act, before entering on their duties, shall under the direction of the court, execute a bond or bonds, with good and sufficient security, payable to the Governor for the time being and his successors in office, in such sum as the court may require, conditioned for the faithful discharge of their duty, and shall take and subscribe on oath for the faithful and honest discharge of their duty; and it shall be in the power of the court, at any time, to remove such commissioners, or either of them, from office, and appoint others, under like condition, in their stead, or at any time to require a renewal of their bonds; and when said commissioners shall have finished their duties, they shall make out and deliver to the court, a detailed statement in writing of their proceedings, and shall swear to the truth of the same; and for their services in this behalf, they shall, from time to time, receive such compensation as the Court may allow.

Be it further enacted, That if any officer, stockholder or agent of any corporation, against which a decree of forfeiture or dissolution may hereafter be had, shall fail or refuse to deliver or surrender to the commissioner or commissioners appointed for that purpose, all the property, debts and effects of said corporation, in his or their hands, the Court, on the fact being made known to it, shall cause the person, or persons, so offending, to be brought before it, and punish him or them in like manner as for a contempt of court.

And be it further enacted, That every assignment, transfer, or other conveyance, by any corporation, or officer, or agent thereof, of any property, debt or evidence of debt belonging to such corporation, made with a view to evade the operation of the law, or for other fraudulent purpose, shall be, and is hereby declared to be utterly null and void; and the parties to such assignment, transfer, or other conveyance aforesaid, shall, on conviction, be punished as for a misdemeanor.

**Important to Surgeons.**—An apparatus has been contrived for fractures of the thigh bone by Caleb Ticknor, of Connecticut, a member of the present Medical Class of our University. A model has been exhibited before the class by Professor Gibson, who thinks the principles upon which it operates can be easily reduced to practice. This apparatus combines all the advantages of the double inclined plane and Gibson's improvement of Haggden's apparatus. This new modification will, probably, supersede the use of all other inventions in the treatment of fractures of the thigh bone.

Philad. Aurora.